UNITED STATES PATENT AND TRADEMARK OFFICE

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| 09/734,324 | 12/01/2000 | Robert P. Enns | Juniper-10 (JNP-0044) | 3838 |

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| 26479 | 7590 | 11/29/2004 | | |

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| EXAMINER |
|---|
| DUONG, THOMAS |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2145 | |

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 09/734,324 | ENNS, ROBERT P. |
| | Examiner | Art Unit |
| | Thomas Duong | 2145 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☒ Responsive to communication(s) filed on _23 August 2004_.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) _2-11, 13-20 and 22-31_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _2-11, 13-20 and 22-31_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

## DETAILED ACTION

### *Response to Amendment*

1.      This office action is in response to the amendment filed on August 23, 2004. The

amendment filed on August 23, 2004 has been entered and made of record. *Claims 2-*

*11, 13-20 and 22-31* are presented for further consideration and examination.

### *Response to Argument*

2.      The Applicants' arguments and amendments filed on August 23, 2004 have been fully

considered, but they are not persuasive.

3.      With regard to <u>claim 4</u>, the Applicants point out that:

- *Independent claim 4 is not anticipated by the Malik patent because the Malik*

  *patent does not teach hierarchical statements.*

However, the Examiner finds that the Applicants' arguments are not persuasive and

maintains that the Malik reference does disclose,

- *wherein a first statement of the plurality of statements of the set of candidate*

  *configuration information for the data forwarding device contains a second*

  *statement of the plurality of statements to define at least a part of a hierarchical*

  *configuration* (Malik, col.3, lines 46-51; col.4, lines 8-12; col.6, lines 31-35, lines

  *39-47; fig.3)

Malik refers to *"a list of attributes in the configuration and their instance IDs, if any"*

(col.6, lines 31-35). This implies that a particular attribute may contain one or more

sub-attributes. Hence, Malik implies the *"hierarchical configuration"* as claimed by

the Applicants. This *"hierarchical configuration"* is shown in figure 3 where the

attributes with sub-attributes are shown with a distinctive underscore. Also, Malik

refers to the Dev patent (U.S. Pat. No. 5,261,044) which also illustrates the

*"hierarchical configuration"* in its figure 3. Furthermore, Malik refers to the

configuration file implemented in routers by networking companies (i.e. Cisco

Systems) and it is well known in the networking art that the routers' configuration files

follow a hierarchical structure. Therefore, the Applicants still failed to clearly disclose

the novelty of the invention and identify specific limitation, which would define

patentable distinction over prior art.


4.      With regard to *claims 5-7*, the Applicants point out that:

  • *Further, dependent claim 5 is not anticipated by the Malik patent because it*

    *further recites that the comparison of configurations only includes a first*

    *statement and descendants from the first statement.*

  • *Further, dependent claim 7 is not anticipated by the Malik patent because it*

    *further recites that the first statement is selected by a user.*

  • *Further, dependent claim 6 is not anticipated by the Malik patent because it*

    *recites that the first statement is based on a statement of hierarchical candidate*

    *configuration on which the user is presently working.*

However, the Examiner finds that the Applicants' arguments are not persuasive and

maintains that the Malik reference does imply a step for editing the configuration of

the router that would allow the user the ability to select the particular section of the

configuration to make changes or modifications to. Hence, it is at the discretion of

the user on the particular section of text to select for comparing or editing.

Furthermore, Malik refers to the configuration file implemented in routers by

networking companies (i.e. Cisco Systems) and it is well known in the networking art

that the routers' configuration files are editable using any of the commonly used text

editor. One of the certain capabilities of the text editors is the ability to allow user to

select a particular section of text and make changes or modifications. Therefore, the

Applicants still failed to clearly disclose the novelty of the invention and identify

specific limitation, which would define patentable distinction over prior art.


5.        With regard to *claim 9*, the Applicants point out that:

   • *Further, dependent 9 is not anticipated by the Malik patent because it recites*

       *associating a predetermined permission value with a user that is logged in, and*

       *determining whether the logged in user is permitted to access one of at least two*

       *categories at a given hierarchical level of configuration information based on the*

       *predetermined permission.*

However, the Examiner finds that the Applicants' arguments are not persuasive and

maintains that the Malik reference does disclose,

   • *associating a predetermined permission value with a user that is logged in; and*

       *determining whether the logged in user is permitted to access one of the at least*

       *two categories of configuration information based on the predetermined*

       *permission.* (Malik, col.1, lines 22-27; col.5, lines 20-27; col.6, lines 25-27)

Malik anticipates a security feature that *"allows the user to navigate freely within the*

*network model, only limited by the access rights assigned by the network*

*administrator"* (col.5, lines 20-22). According to Malik, the *"access security"* feature

present in the configuration, which *"is defined as a particular setting of device*

*parameters that govern the operational characteristics of a network device. In*

*communications networks, the devices that are routinely configured are routers,*

*bridges and hubs"* (col.1, lines 22-27) is well known in the networking art. Therefore,

the Applicants still failed to clearly disclose the novelty of the invention and identify

specific limitation, which would define patentable distinction over prior art.


6.      With regard to *claims 10, 13 and 22-26*, the Applicants point out that:

- Independent claims 10, 13, 22, 23, 25 and 26 are not anticipated by the Malik

    patent because the Malik patent does not teach comparing, with a data

    forwarding device, configurations for that particular data forwarding device. In at

    least some of these claims, one or both configurations are stored on the

    particular data forwarding device.

However, the Examiner finds that the Applicants' arguments are not persuasive and

maintains that the Malik reference teaches of using the user created/edited

configuration for comparison with the current implemented configuration in the

network device such as the router. Malik teaches of retrieving/capturing the current

actual configuration from a network device such as a router for comparison with a

new configuration to be implemented in the router after passing the verification step

and authorized by a user with appropriate access right to the router. Hence, at least

one of the configurations to be compared is stored on the router. Therefore, the

Applicants still failed to clearly disclose the novelty of the invention and identify

specific limitation, which would define patentable distinction over prior art.


7.      With regard to *claim 11*, the Applicants point out that:

- *Independent claim 11 is not anticipated by the Malik patent because the Malik patent does not teach determining differences, if any, between at least a part of a set of candidate configuration information for a data forwarding device, and at least a part of a selected set of configuration information for the data forwarding device, by considering changes to configuration statements without regard to parameter values.*

However, the Examiner finds that the Applicants' arguments are not persuasive and maintains that the Malik reference does disclose,

- *wherein the act of determining differences, if any, between*

  - *the at least a part of the set of candidate configuration information for the data forwarding device, and*

  - *the at least a part of the selected set of configuration information for the data forwarding device, considers changes to statements without regard to parameter values. (Malik, col.4, lines 1-3; col.5, line 57; col.8, line 57 col.9, line 31; col.9, lines 20-25; fig.1)*

Malik teaches of using the user created/edited configuration for comparison with the current implemented configuration in the network device. Furthermore, Malik teaches of retrieving/capturing the current actual configuration from a network device such as a router for comparison with a new configuration to be implemented in the router after passing the verification step and authorized by a user with appropriate access right to the router. Therefore, the Applicants still failed to clearly disclose the novelty of the invention and identify specific limitation, which would define patentable distinction over prior art.

8.      With regard to *claim 14*, the Applicants point out that:

- *Independent claim 14 is not anticipated by the Malik patent because the Malik patent does not verify or compare configurations before a candidate configuration is loaded or committed to a data forwarding device.*

However, the Examiner finds that the Applicants' arguments are not persuasive and maintains that the Malik reference does disclose,

- *accepting at least a part of a first set of configuration information for a data forwarding device, wherein the first set of configuration information has not been saved on the data forwarding device as a committed configuration;* (Malik, col.4, lines 1-3; col.5, line 54; col.9, lines 20-25; fig.1)

Malik teaches of using the user created/edited configuration for comparison with the current implemented configuration in the network device. Furthermore, the meaning of the limitation *"configuration information has not been saved"* is synonymous with *"candidate configuration"*.

- *accepting at least a part of a second set of configuration information for the data forwarding device, wherein the second set of configuration information has been saved on the data forwarding device; and* (Malik, col.1, lines 22-27; col.4, lines 1-3; col.9, lines 20-25; fig.1)

Malik teaches of retrieving/capturing the current actual configuration from a network device such as a router for comparison with a new configuration to be implemented in the router. Furthermore, the meaning of the limitation *"configuration information has been saved"* is synonymous with *"configuration information"*. Therefore, the Applicants still failed to clearly disclose the novelty of the invention and identify specific limitation, which would define patentable distinction over prior art.

9.     With regard to _claims 2-3, 5-9, 15-20, 27-28 and 29-31_, they are rejected at least by

virtual of their dependency on the independent claims and by other reasons set forth in

the previous office action (Paper No.6).  Accordingly, rejections for _claims 2-3, 5-9, 15-_

_20, 27-28 and 29-31_ are presented as below:

### _Claim Rejections - 35 USC § 102_

10.    The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

11.    _Claims 2-11, 13-20 and 22-31_ are rejected under 35 U.S.C. 102(e) as being anticipated

by Malik et al. (US006349306B1).

12.    With regard to _claims 4, 13-14, 22-24 and 25-26_, Malik reference discloses,

- _accepting at least a part of a selected one of at least one set of configuration_

  _information for a data forwarding device;_ (Malik, col.4, lines 1-3; col.5, line 54;

  col.9, lines 20-25; fig.1)

Malik teaches of using the user created/edited configuration for comparison with the

current implemented configuration in the network device.  Furthermore, the meaning

of the limitation _"configuration information has not been saved"_ is synonymous with

_"candidate configuration"_.

- _accepting at least a part of a set of candidate configuration information for the_

  _data forwarding device; and_ (Malik, col.1, lines 22-27; col.4, lines 1-3; col.9, lines

  20-25; fig.1)

Malik teaches of retrieving/capturing the current actual configuration from a network

device such as a router for comparison with a new configuration to be implemented

in the router. Furthermore, the meaning of the limitation *"configuration information has been saved"* is synonymous with *"configuration information"*.

- *determining differences, if any, between*
  - o *the at least the part of the set of candidate configuration information for the data forwarding device, and*
  - o *the at least the part of the selected one of the at least one set of configuration information for the data forwarding device.* (Malik, col.4, lines 1-3; col.5, line 57; col.8, line 57 col.9, line 31; col.9, lines 20-25; fig.1)

Malik teaches of using the user created/edited configuration for comparison with the current implemented configuration in the network device. Furthermore, Malik teaches of retrieving/capturing the current actual configuration from a network device such as a router for comparison with a new configuration to be implemented in the router after passing the verification step and authorized by a user with appropriate access right to the router.


13.    With regard to *claims 2-3, 27-28 and 29-30*, Malik reference discloses the invention substantially as claimed,

See *claims 4 and 10-11* rejection as detailed above and below.

Furthermore, Malik reference discloses,

- *wherein the selected one of at least one set of configuration information for a data forwarding device is a most recently committed set of configuration information for the data forwarding device.* (Malik, col.9, lines 20-25)

Malik teaches using the user created/edited configuration for comparison with the current actual configuration from a network device such as a router.

14.    With regard to _claims 5-9 and 15-18_, Malik reference discloses the invention

substantially as claimed,

See _claims 4 and 14_ rejection as detailed above.

Furthermore, _claims 5-9 and 15-18_ describe the act of editing a network device's

configuration (i.e. a router's configuration).  This is well known to one of ordinary skill

in the art at the time the invention was made.

15.    With regard to _claims 10-11, 19-20 and 31_, Malik reference discloses the invention

substantially as claimed,

- _accepting at least a part of a selected one of at least one set of configuration_

   _information for a data forwarding device;_ (Malik, col.4, lines 1-3; col.5, line 54;

   col.9, lines 20-25; fig.1)

Malik teaches of using the user created/edited configuration for comparison with the

current implemented configuration in the network device.  Furthermore, the meaning

of the limitation _"configuration information has not been saved"_ is synonymous with

_"candidate configuration"_.

- _accepting at least a part of a set of candidate configuration information for the_

   _data forwarding device; and_ (Malik, col.1, lines 22-27; col.4, lines 1-3; col.9, lines

   20-25; fig.1)

Malik teaches of retrieving/capturing the current actual configuration from a network

device such as a router for comparison with a new configuration to be implemented

in the router.  Furthermore, the meaning of the limitation _"configuration information_

_has been saved"_ is synonymous with _"configuration information"_.

- _determining differences, if any, between_

   o  *the at least the part of the set of candidate configuration information for the*

      *data forwarding device, and*

   o  *the at least the part of the selected one of the at least one set of configuration*

      *information for the data forwarding device.* (Malik, col.4, lines 1-3; col.5, line

      57; col.8, line 57 col.9, line 31; col.9, lines 20-25; fig.1)

Malik teaches of using the user created/edited configuration for comparison with the

current implemented configuration in the network device.  Furthermore, Malik

teaches of retrieving/capturing the current actual configuration from a network device

such as a router for comparison with a new configuration to be implemented in the

router after passing the verification step and authorized by a user with appropriate

access right to the router.

•  *wherein the act of accepting at least a part of a selected one of at least one set of*

   *configuration information for a data forwarding device is performed by accessing*

   *a storage device of the data forwarding device,* (Malik, col.3, lines 54-62; col.4,

   lines 1-3; col.9, lines 20-25)

•  *wherein the act of accepting at least a part of a set of candidate configuration*

   *information for the data forwarding device is performed by accessing a storage*

   *device of the data forwarding device; and* (Malik, col.3, lines 54-62; col.4, lines 1-

   3; col.9, lines 20-25)

•  *wherein the act of determining differences, if any, between*

   o  *the at least the part of the set of candidate configuration information for the*

      *data forwarding device, and*

   o  *the at least the part of the selected one of the at least one set of configuration*

      *information for the data forwarding device, is performed by a component of*

> *the data forwarding device* (Malik, col.4, lines 1-3; col.5, line 57; col.9, lines
> 20-25; fig.1)

Malik teaches using the user created/edited configuration for comparison with the

current actual configuration from a network device such as a router. Malik reference

teaches of using the user created/edited configuration for comparison with the

current implemented configuration in the network device such as the router. Malik

teaches of retrieving/capturing the current actual configuration from a network device

such as a router for comparison with a new configuration to be implemented in the

router after passing the verification step and authorized by a user with appropriate

access right to the router. Hence, at least one of the configurations to be compared

is stored on the router.


## Conclusion

16.    Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than

SIX MONTHS from the date of this final action.

17.    Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Thomas Duong whose telephone number is 571/272-3911. The

examiner can normally be reached on M-F 7:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David A Wiley can be reached on 571/272-3923. The fax phone numbers for

the organization where this application or proceeding is assigned are 703/872-9306 for

regular communications and 703/872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703/305-3900.


*Thomas Duong (AU2143)*

*November 19, 2004*

JACK B. HARVEY
SUPERVISORY PATENT EXAMINER